



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION SUBCOMMITTEE TO REVIEW STATUTE REVISIONS
MEETING DATE AND TIME:	Thursday, February 24, 2011 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Public Service Commission Conference Room First floor of the Cannon Building
MINUTES APPROVED:	March 16, 2011

MEMBERS PRESENT

Christopher J. Whitfield
Ricky H. Allamong
Andy Staton
Vincent White

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Heeney, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

ALSO PRESENT

Denise Tatman
Andy Taylor
James Kelly

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:05 a.m.

OTHER BUSINESS BEFORE THE SUBCOMMITTEE (for discussion only)

A discussion was held concerning the Joint Sunset Committee's Public Hearing for the Real Estate Commission held on February 17, 2011. There was a discussion about the information provided to the Committee about agency disclosure and the need for clarification of the information provided. Mr. Whitfield will provide a written clarification to Ms. Heeney for review. Upon approval, it will then be forwarded to Kay Warren for submission to Debbie Puzzo.

REVIEW OF MINUTES

The Subcommittee reviewed the minutes from the January 6, 2011 meeting. A motion was made by Mr. Allamong, seconded by Mr. Staton to approve the minutes. The motion passed unanimously.

REVIEW OF PROPOSED REVISIONS TO THE RULES AND REGULATIONS

The Subcommittee reviewed the proposed revisions to the rules and regulations made by Ms. Heeney. The Subcommittee next reviewed the proposed revisions to Rule and Regulation 2.0 and 3.0 regarding the requirements for obtaining a salesperson's license and broker's license provided by Mr. Allamong and Mr. Tims. Additional revisions were made. A discussion was held about a salesperson putting their license on inactive status as soon as they become licensed and not having to affiliate with a broker. Mr. Staton will develop proposed language for this.

The Subcommittee next reviewed the proposed revisions to Rule and Regulation 4.0 regarding reciprocal licenses provided by Mr. Allamong and Mr. Tims. Additional revisions were made. A discussion was held regarding a licensee requesting to be licensed with more than one firm. Mr. Allamong will draft a form for this.

The Subcommittee reviewed the proposed revisions to Rule and Regulation 10.0 regarding property and radon disclosures provided by Mr. Allamong. Additional revisions were made. Ms. Heeney will review further.

A discussion was held regarding the licensing of offices. It was discussed that the Commission approves an office, but cannot take disciplinary action against an office. For instance, if a broker of record's license is suspended or revoked and that broker hires another broker to be the broker of record and continues to run the business, the Commission may want to find a way to impact the office's ability to do business. It was felt that this should be discussed by the Real Estate Commission and will be added to a future agenda.

A discussion was held concerning the proposed language provided by DAR regarding the CMA. DAR wants to add the following sentence under Section 2931 in the proposed revisions to the statute: "However, a Licensee shall not perform a CMA for the Mortgagee on a property that is the subject of a signed Agreement of Sale." This will be placed on the Real Estate Commission's March agenda.

PUBLIC COMMENT

Mr. Kelly asked about when to present the CIS. He also asked about dual licensing.

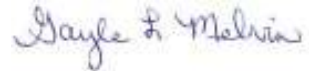
NEXT SCHEDULED MEETING

The next meeting was scheduled for March 16, 2011 at 9:00 a.m.

ADJOURNMENT

A motion was made by Mr. Whitfield, seconded by Mr. Allamong to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 12:15 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gayle L. Melvin". The signature is written in a cursive, flowing style.

Gayle L. Melvin
Administrative Specialist III